

APPEAL HEARING MINUTES

1. Kind of meeting: Appeal Hearings

2. Date: March 22, 2016 **Place:** Hearings Room

3. Present: Jeff Painter, Christopher Curtis, Judith Napier, Henry Marsh, SAAG Kristina Stoney, Pam Boggs, Melissa Custis & Kristie Miles

- 2:00 p.m. - Hearing was called to order
 - Cerritos Pupuseria – Dominick A. Pilli, Esq.
 - Déjà Vu Restaurant & Lounge – Mark C. Shuford, Esq.
- 2:40 p.m.. - Closed session - With no further cases J. Painter moved that the Board enter closed session pursuant to 2.2-3711(A)(7) to discuss pending cases with counsel; 2nd- H. Marsh - the Board unanimously (Painter, Napier, Marsh) voted to go into closed session Attendance at closed session was J. Painter, J. Napier, C. Curtis, H. Marsh, T. Hill, SAAG K. Stoney, and P. Boggs.
- 3:30 p.m. - J. Painter motioned to return to open session, H. Marsh seconded the motion and it passed unanimously. The Board then certified by voice vote (Painter, Curtis, Marsh) that nothing was discussed in the closed session but legal matters pursuant to 2.2-3711(A)(7). Vote was unanimous.
 - In the matter of Cerritos Pupuseria - J. Painter motioned to substantiate the charge and follow the decision of the hearing officer; that as to Charge 1, the license is revoked; that as to Charge 2, the license is revoked and as to the objection involving the approval of Ms. Santos Cerritos Romero as a designated manager, the request is denied; H. Marsh seconded and the motion passed. J. Napier abstained.
 - In the matter of Déjà VU Restaurant & Lounge - J. Painter motioned to not substantiate the charge and modify the hearing officer's decision and grant the license. In addition the licensee is place on probation for one year; H. Marsh seconded the motion and it passed unanimously.
 - In the matter of McCormack's Whisky Grill & Smokehouse – J. Painter motioned to adopt the Findings of Fact and Conclusions to substantiate the charge, but modify the hearing officer's decision. That as to Charge 1, the privileges of purchasing and selling mixed beverages granted by the license be, and the same are hereby, suspended for seven (7) days; during which period such privileges shall not be exercised; provided, however, that upon payment of a civil penalty in the sum of Five Hundred Dollars (\$500.00), the suspension shall be terminated; H. Marsh seconded the motion and it was passed, J. Napier did not agree and voted no. The decision was supported by a Special Notification of Modification.
- 3:35 p.m. – With no further business – J. Painter moved to adjourn for the day, H. Marsh - seconded and the vote was passed unanimously.